

E1-18669^{cd}



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road, Suite 101
Carlsbad, California 92011



In Reply Refer To:
FWS-LA-11B0325-11SL0492

JUL 27 2011

John A. Sims, CP
BNSF Railway Company
2500 Lou Menk Drive – AOB-3
Fort Worth, Texas 76131-2828

Subject: Request for Species List of Endangered and Threatened Species in the Vicinity of the BNSF Railway Abandonment Project, Los Angeles County, California

Dear Mr. Sims:

This letter is in response to your letter request received May 9, 2011, for a list of federally endangered, threatened, proposed, and candidate species and their critical habitat potentially present in the vicinity of the BNSF Railway Abandonment Project in the cities of Arcadia and Irwindale, Los Angeles County, California. We understand that this information will be used in support of documentation required by the Department of Transportation, Surface Transportation Board. To assist you in evaluating the potential occurrence of federally listed endangered, threatened, proposed, and candidate species that may occur in the vicinity of the area identified, we are providing the enclosed list.

Section 7 of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), requires Federal agencies to consult with us, the U.S. Fish and Wildlife Service, should it be determined that their actions may affect federally listed threatened or endangered species. Section 9 of the Act prohibits the “take” (e.g., harm, harassment, pursuit, injury, kill) of federally listed wildlife. “Harm” is further defined to include habitat modification or degradation where it kills or injures wildlife by impairing essential behavioral patterns including breeding, feeding, or sheltering. Take incidental to otherwise lawful activities can be authorized under sections 7 (Federal consultations) and 10 (habitat conservation plans) of the Act for non-Federal activities.

We do not have on-the-ground site-specific information for this area. Therefore, we recommend that an assessment of the actual potential for direct, indirect, and cumulative impacts likely to result from the proposed study be conducted by a biologist directly familiar with the habitat conditions and associated species in and around the study area.

We suggest that you contact the California Department of Fish and Game for State-listed and other sensitive species that may occur in the area of the anticipated project(s). State-listed species are protected under the provisions of the California Endangered Species Act. Rare plant


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species that may occur in the project area are included in the California Native Plant Society's (CNPS) inventory of rare and endangered vascular plants in California.

Should you have any questions regarding the species list provided, or your responsibilities under the Act, please contact Fish and Wildlife Biologist Christine Medak of this office at (760) 431-9440, extension 298.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Snyder". The signature is fluid and cursive, with the first name "Jonathan" and last name "Snyder" clearly distinguishable.

 Karen A. Goebel
Assistant Field Supervisor

Enclosure

**Federally Endangered, Threatened, Proposed, and Candidate Species that May Occur
in the Cities of Arcadia and Irwindale, Los Angeles County, California**

July 22, 2011

Common Name	Scientific Name	Federal Status¹
<u>Birds</u>		
southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	endangered, CH
coastal California gnatcatcher	<i>Polioptila californica californica</i>	threatened, CH
yellow-billed cuckoo	<i>Coccyzus americanus</i>	candidate
least Bell's vireo	<i>Vireo bellii pusillus</i>	endangered, CH
<u>Mammals</u>		
Pacific pocket mouse	<i>Perognathus longimembris pacificus</i>	endangered
<u>Plants</u>		
Braunton's milk-vetch	<i>Astragalus brauntonii</i>	endangered, CH
thread-leaved brodiaea	<i>Brodiaea filifolia</i>	threatened, CH
Nevin's barberry	<i>Berberis nevinii</i>	endangered, CH
San Fernando Valley spineflower	<i>Chorzanthe parryi</i> var. <i>fernandina</i>	candidate
Slender-horned spineflower	<i>Dodecahema leptoceras</i>	endangered
Santa Monica Mountains dudleya	<i>Dudleya symosa</i> ssp. <i>ovatifolia</i>	threatened
California orcutt grass	<i>Orcuttia californica</i>	endangered
Spreading navarretia	<i>Navarretia fossalis</i>	threatened, CH
Lyon's pentachaeta	<i>Pentachaeta lyonii</i>	endangered
Brand's phacelia	<i>Phacelia stellaris</i>	candidate
Gambel's watercress	<i>Rorippa gambellii</i>	endangered

¹ CH – designated Critical Habitat